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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,509	06/30/1999	YOSHIKI TAKABATAKE	0039-7268-2R	8009
22850	7590	07/14/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			FERRIS, DERRICK W	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/343,509	TAKABATAKE ET AL.	
	Examiner	Art Unit	
	Derrick W. Ferris	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/23/05</u>   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. **Claims 1-24** as amended are still in consideration for this application. Applicant has amended claims **1, 8, 16, 19 and 22**.
2. Examiner thanks applicant for bringing the un-initialed IDS to the examiner's attention. As a result, please see the attached IDS filed 2/23/2005 where the "Homenetwork Architecture Considering Digital Home Appliances" has been considered by the examiner.
3. Examiner **withdraws** the anticipated rejection to *Srivastava* for Office action filed **8/23/2004**. Applicant's arguments, see page 12, filed 2/23/2005, with respect to the rejection(s) of claim(s) 1-24 under *Srivastava* have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of *Eilley*. In particular, the examiner feels that the claims as necessitated by amended would have been obvious (see obviousness rejection below).

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. **Claims 1-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,959,536 to *Srivastava et al.* ("*Srivastava*") in view of "'In Home' Digital Networks and Cordless Options" to *Eilley*.

As to **claim 1**, see e.g., figure 1 of *Srivastava* where a first interface unit is part of control means 114 connecting a class C device such as device 106 (i.e., one communication node), a second interface unit is the interface of control means 114 connecting a class B device such as device 104 (i.e., another communication node) and the processing unit is the internal structure of control means 114 shown e.g., in figure 2. In particular, the class C device 106 (i.e., said one communication node) is recognized as a part of the communication node on the second network by the class B device 104 (i.e., said another communication node) since the control means 114 runs the class C device locally via a device abstraction, see e.g., column 5, lines 23-52. As such, the class D device or control means can communicate with the class B device such that that class D device will disclose an own configuration information regarding what its constituent elements are to another communication node on the second network (i.e., a class B device) since the communication is bi-directional. Examiner notes further interpretations where a first interface unit could be class D device 114 and a second interface unit could be class D device 116. Examiner notes an even further interpretation where a class C device could be a one communication node and another class C device could be another communication node.

*Srivastava* is silent or deficient to the further limitation where a communications node is a wireless node which has a first interface to a radio network and a second interface to a non-radio network.

*Eilley* teaches the further recited limitation above at e.g., at page bottom of page 8/4 and in figures 1 and 2 on page 8/5.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Srivastava* by clarifying that the communications node can be a wireless base station.

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be for mobility. In particular, *Eilley* cures the above-cited deficiency by providing a motivation found at e.g., page 8/2 under the section "The Cordless Advantage".

As to **claim 2**, the class D device supports AV CTS/P1394 thus supporting sub constituent elements. In addition, see e.g., sub-budle at column 13, lines 25-30 of *Srivastava*.

As to **claim 3**, see figure 2 of *Srivastava* where the event manager 210 and registry 208 keep track of the protocols and where the Messaging System hides the difference between the protocols, e.g., see column 11, lines 4-18.

As to **claim 4**, an e.g., of reserving a network resource could be using the "named route", see e.g., column 12, lines 5-47 of *Srivastava*. Examiner also notes non-local signal routing also reserves network resources, see e.g., column 15, lines 1-13 of *Srivastava*.

As to **claim 5**, the processing unit or control means/ class D device 114 provides no configuration information using the abstract device, see e.g., figure 2 of *Srivastava*.

As to **claim 6**, the processing unit or control means/ class D device 114 also communicates with the class C device (e.g., class C device 106) (i.e., the higher layer protocols communicate back to the class C device).

As to **claim 7**, the processing unit or control means/ class D device 114 communicates with both device locally and thus brokers communication between the two devices on different networks.

As to **claim 8**, see similar rejection for claim 1.

As to **claim 9**, see similar rejection for claim 2.

As to **claim 10**, see e.g., figure 2 of *Srivastava* for the further structure of the processing unit and in particular the abstract device 202, event manager 210 and registry 208.

As to **claim 11**, see the rejection for claim 3.

As to **claim 12**, see the rejection for claim 4.

As to **claim 13**, see the rejection for claim 5.

As to **claim 14**, see the rejection for claim 6.

As to **claim 15**, see the rejection for claim 7.

As to **claim 16**, see the rejection for claim 1.

As to **claim 17**, see the rejection for claim 3.

As to **claim 18**, see the rejection for claim 4.

As to **claim 19**, see similar rejection for claim 1 where *Srivastava* further teaches AV CTS / P1394, see e.g., column 6, lines 15-34; column 7, lines 1-8; and column 11, lines 4-51.

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As to **claims 20 and 21**, see similar rejection for claim 10.

As to **claim 22**, see the rejection for claim 19.

As to **claims 23 and 24**, see the rejection for claims 20 and 21 respectively.

***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
DWF

Derrick W. Ferris  
Examiner  
Art Unit 2663

  
RICKY NGO  
PRIMARY EXAMINER  
7/8/05